



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Mark Grzan, Mayor Pro Tempore	Mark Grzan, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member
Steve Tate, Council Member	Steve Tate, Agency Member

WEDNESDAY, APRIL 19, 2006

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL & REGULAR MEETING

and

REDEVELOPMENT AGENCY REGULAR MEETING

A Special Meeting of the City Council is called at 5:30 P.M. to Conduct Interviews for the Parks & Recreation Commission and the Library, Culture & Arts Commission Vacancies.

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

5:30 P.M.

City Council Action

INTERVIEWS:

	Time Estimate		Page
1.	75 Minutes	<u>INTERVIEWS TO FILL VACANCIES ON THE LIBRARY, CULTURE & ARTS AND PARKS & RECREATION COMMISSIONS</u>1 <u>Recommended Action(s):</u> 1. <u>Council Discussion</u> Regarding the Characteristics and Traits Council is Seeking in Candidates to Serve on the Library, Culture & Arts Commission, and the Parks & Recreation Commission; 2. <u>Conduct</u> Interviews; 3. <u>Identify</u> Top Candidates Up to the Number of Vacancies Available on these Commissions, Plus 1, as Deemed Appropriate; and 4. <u>Mayor to Return with Recommended Appointments</u> for Council Discussion and Ratification of Appointments.	

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

National Volunteer Month

Stephen T. Quigley, Volunteer Center of Silicon Valley

Voter Education Month

City Clerk Torrez

CITY COUNCIL REPORT

Mayor Kennedy

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND

PRESENT IT TO THE CITY CLERK.
(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

CONSENT CALENDAR:

ITEMS 2-10 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

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Consent Calendar: 1 - 10 Minutes

2. **INDOOR RECREATION CENTER PROJECT – MARCH CONSTRUCTION PROGRESS REPORT** **61**
Recommended Action(s): Information Only.

3. **CENTENNIAL INDOOR RECREATION CENTER REQUEST FOR ADDITIONAL FUNDING FOR BUILDING CHANGES**..... **69**
Recommended Action(s): Appropriate an Additional \$60,000 for Building Revisions.

4. **APPROVE APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR 2007-2008 STREET RESURFACING PROGRAM** **71**
Recommended Action(s): Adopt Resolution Supporting the Application for Federal Surface Transportation (STP) Program for the 2007-2008 Pavement Resurfacing Project.

5. **FINAL MAP APPROVAL FOR VILLAS OF SAN MARCOS (TRACT 9767)** **77**
Recommended Action(s):
 1. **Approve** the Final Map, Subdivision Agreement and Improvement Plans;
 2. **Authorize** the City Manager to Sign the Subdivision Improvement Agreement on Behalf of the City;
and
 3. **Authorize** the Recordation of the Map and the Subdivision Improvement Following Recordation of the Development Improvement Agreement.

6. **FINAL MAP APPROVAL FOR ALICANTE PHASE III (TRACT 9689)**..... **89**
Recommended Action(s):
 1. **Approve** the Final Map, Subdivision Agreement, and Improvement Plans;
 2. **Authorize** the City Manager to Sign the Subdivision Improvement Agreement on Behalf of the City;
and
 3. **Authorize** the Recordation of the Map and the Subdivision Improvement Agreement Following Recordation of the Development Improvement Agreement.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
7.	<u>GAVILAN COLLEGE USE OF THE MORGAN HILL COMMUNITY PLAYHOUSE FOR A FILM COURSE</u> 101 Recommended Action(s): <u>Direct</u> Staff to Book the Morgan Hill Community Playhouse for a Gavilan College Film Course where Revenue Generated from the Course will be Shared between the City and Gavilan College in Lieu of Any Rental Charges for the Facility.	
8.	<u>CITY PROMOTED ENTERTAINMENT EVENTS AT THE MORGAN HILL COMMUNITY PLAYHOUSE</u> 103 Recommended Action(s): <u>Direct</u> Staff to Book Entertainment Events at the Morgan Hill Community Playhouse where Ticket Sale Proceeds will be Split between the City and the Event Promoter in Lieu of Any Rental Charges for the Facility, Provided that at a Minimum the Promoter Pays the City's Out-Of-Pocket Costs for Use of the Facility for the Event.	
9.	<u>ADOPT ORDINANCE NO. 1765, NEW SERIES</u> 105 Recommended Action(s): <u>Waive</u> the Reading, and <u>Adopt</u> Ordinance No. 1765, New Series, and <u>Declare</u> That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO ORDINANCE NO. 1658, NEW SERIES, TO AMEND DEVELOPMENT AGREEMENT DA-03-13 FOR APPLICATION MP 02-15: MISSION VIEW-MISSION RANCH TO ALLOW FOR THE INCORPORATION OF ONE ADDITIONAL ALLOCATION FOR FISCAL YEAR 2005-2006 (APN 728-32-008 & 009). DA-03-13: Mission View-Mission Ranch.	
10.	<u>ADOPT ORDINANCE NO. 1766, NEW SERIES</u> 111 Recommended Action(s): <u>Waive</u> the Reading, and <u>Adopt</u> Ordinance No. 1766, New Series, and <u>Declare</u> That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO ORDINANCE NO. 1726, NEW SERIES, TO AMEND DEVELOPMENT AGREEMENT DA-05-01 FOR APPLICATION MP 04-26: MISSION VIEW-MISSION RANCH TO ALLOW FOR THE INCORPORATION OF FOUR ADDITIONAL ALLOCATIONS FOR FISCAL 2006-07 AND AMENDMENT TO PARAGRAPH 14 MODIFYING THE PER UNIT PUBLIC IMPROVEMENT COMMITMENT. (APN 728-32-008 & 009) DAA-05-01: Mission Ranch.	

Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 11

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
11.	<u>THIRD QUARTER REPORT FROM THE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT PARTNERSHIP</u> 117 Recommended Action(s): <u>Accept</u> the Report.	

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 12

Time Estimate

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Consent Calendar: 1 - 10 Minutes

12. **APPROVE JOINT SPECIAL AND REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF APRIL 5, 2006**..... 127

City Council Action

CONTINUED PUBLIC HEARINGS: (Continued from Meeting of April 5, 2006)

Time Estimate

Page

13. **45 Minutes** **GENERAL PLAN AMENDMENT, GPA-05-05: CITY OF MORGAN HILL- URBAN LIMIT LINE/GREENBELT STUDY IMPLEMENTATION**
(Continued from 04/05/06)163
Public Hearing Reconvened.
Please Limit Your Remarks to 3 Minutes. Public Hearing Closed
Council Discussion.
Action- **Approve** Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.
Action- **Adopt** Resolution Approving General Plan Amendments.
14. **20 Minutes** **URBAN SERVICE AREA APPLICATION, USA-05-02/ ZONING AMENDMENT APPLICATION, ZA-06-01/ ANNEXATION APPLICATION, ANX-03-01: EDMUNDSON-OAK MEADOW PLAZA** (Continued from 04/05/06)287
Public Hearing Reconvened.
Please Limit Your Remarks to 3 Minutes. Public Hearing Closed
Council Discussion.
Action- **Adopt** Resolution Approving Expansion of the Urban Service Area.
Action- **Motion to Waive** the Reading in Full of Zoning Amendment Ordinance.
Action- **Motion to Introduce** Ordinance by Title Only. (Roll Call Vote)
Action- **Adopt** Resolution Approving Annexation of Property.

CONTINUED PUBLIC HEARINGS: (Continued from Meeting of April 5, 2006)

	Time Estimate		Page
15.	20 Minutes	<u>GENERAL PLAN AMENDMENT APPLICATION, GPA-05-06/ URBAN SERVICE AREA APPLICATION, USA-05-01/ ZONING AMENDMENT APPLICATION, ZA-05-27/ ANNEXATION APPLICATION, ANX-05-18: SANTA TERESA BOULEVARD-BLACKROCK</u> (Continued from 04/05/06).....	311
		Public Hearing Reconvened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		Action- <u>Adopt</u> Resolution Approving General Plan Amendment.	
		Action- <u>Adopt</u> Resolution Approving Expansion of the Urban Service Area.	
		Action- <u>Motion to Waive</u> the Reading in Full of Zoning Amendment Ordinance.	
		Action- <u>Motion to Introduce</u> Ordinance by Title Only. (Roll Call Vote)	
		Action- <u>Adopt</u> Resolution Approving Annexation of Property.	

City Council Action

PUBLIC HEARINGS:

	Time Estimate		Page
16.	5 Minutes	<u>DEVELOPMENT AGREEMENT AMENDMENT, DAA-04-06: COCHRANE-BORELLO</u>	337
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		Action- <u>Motion to Waive</u> the Reading in Full of Development Agreement Amendment Ordinance.	
		Action- <u>Motion to Introduce</u> Ordinance by Title Only. (Roll Call Vote)	
17.	15 Minutes	<u>APPLICATION GPA-05-01: AMENDMENT TO THE CIRCULATION ELEMENT FOR THE MADRONE PARKWAY EXTENSION</u>	349
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes. Public Hearing Closed	
		Council Discussion.	
		Action- <u>Approve</u> Negative Declaration.	
		Action- <u>Adopt</u> Resolution Adding the Tilton Avenue Railroad Crossing as a Two-Lane Collector Street from Monterey Road to Hale Avenue/Future Santa Teresa Boulevard.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
18.	10 Minutes	<u>PROPOSED TEXT AMENDMENTS TO TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE MORGAN HILL MUNICIPAL CODE</u>	363
		<u>Recommended Action(s):</u>	
		1. <u>Motion to Waive</u> the Reading in Full of Ordinance; and	
		2. <u>Motion to Introduce</u> Ordinance by Title Only. (Roll Call Vote)	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.